IN THE HIGH COURT OF JUDICATURE AT PATNA
CR. REV. No.46 of 2007
NOORJAHAN & ANR
Versus
STATE OF BIHAR & ANR
---

4. 1.9.2008. This application has been filed for enhancement of the maintenance amount.

It appears that vide order dated 12th December,2006, the Principal Judge, Family Court, Bettiah in Case No.46M of 2000/Trial No.206 of 2005 directed the opposite party no.2 to pay maintenance of Rs.250/- each to the petitioners. Petitioner no.1 is wife of the opposite party no.2 and petitioner no.2 is minor daughter.

Heard the learned counsel for the petitioners as well as the opposite party no.2.

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It is submitted by the learned counsel for the petitioners that the opposite party no.2 is a driver of local doctor. He is earning Rs.5,000/- per month. On the other hand, the learned counsel for the opposite party submitted that the order passed by the court below is justified. The opposite party no.2 has second wife and one child born out their wedlock. However, he has no objection, if the maintenance amount is enhanced to Rs.750/- from Rs. 500/-.

Considered the submission of the learned counsel for both the parties. Perused the impugned order and also considered the facts and circumstances of the case.

Having regard to the facts and circumstances, the opposite party no.2 is directed to pay maintenance of Rs.500/- to petitioner no.1

and Rs.250/- to petitioner no.2 minor daughter from the date as directed by the lower court.

Accordingly, this application is allowed with above modification in the amount of maintenance.

(Ghanshyam Prasad)

N.H./

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